

REMARKS

Claims 1-19 remain pending in the application.

Claims 1-19 over Schellinger

Claims 1-19 were rejected under 35 USC 102(e) as allegedly being obvious over U.S. Pat. No. 5,842,122 to Schellinger et al. ("Schellinger"). The Applicant respectfully traverses the rejection.

In the rejection, the Examiner's cited art of Schellinger is closely related to the present application, but nevertheless the claims of the present application are clearly distinguishable.

In particular, the present application discusses the need for a smooth transition in a 3-in-1 cell phone (cell, cordless, walkie-talkie) between modes of operation. Thus, it is desired that there be minimal interruption in an ongoing conversation when switching between cell phone and cordless, etc. The present invention talks about the desirability for separate RF capabilities, for simultaneous establishment of links, to promote the smooth transition between links.

Claims 1-3 recite a module to establish **simultaneous communication paths from a multimode cell phone** using both a cell phone functionality and RF communication functionality. Claims 4-19 recite establishing **from a multimode cell phone** a second type RF communication link **while a first type RF communication link remains active at the multimode cell phone**.

The cited art of Schellinger instructs a central office (or cellular telephone system) to set up a three way call, and the cell phone answers and stays with the third party call when received.

In particular, Schellinger discloses a dual mode cellular cordless portable radiotelephone that is capable of ONE mode of communication, or the OTHER, BUT NOT BOTH SIMULTANEOUSLY.

In particular, Schellinger discloses automatic routing of an incoming call without inconveniencing the user. (Schellinger, col. 5, lines 10-13). A portable cellular cordless (PCC) device decides whether to remain in a cellular telephone system, or to change to a cordless telephone system. (Schellinger,

col. 5, lines 29-39).

However, according to Schellinger, automatic forwarding systems of a central office are implemented to allow handoff of a call. See, e.g., col. 6, lines 12-15; and col. 6, line 24 (remote call forwarding performed). As explained by Schellinger at col. 7, lines 50-62, a call in process is handed off by producing a THREE WAY CALL through the cellular telephone system (i.e., NOT through the cell phone itself). To finally implement the handoff, the cell phone switches to a landline leg of a three way call (set up by a central office and/or cellular telephone system), and the initial call is dropped.

The present invention requires a module to establish simultaneous communication paths from a multimode cell phone using both a cell phone functionality and RF communication functionality, or to establish from a multimode cell phone a second type RF communication link while a first type RF communication link remains active at the multimode cell phone. Schellinger fails to disclose simultaneous communication paths from a multimode cell phone as claimed by the claims of the present application.

For at least all the above reasons, claims 1-19 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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